



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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15 April 2008

**IND102547.E**

India: Whether members of the Akali Dal (Mann) / Akali Dal (Amritsar) party are harassed and arrested for participating in party gatherings, for publicly complaining about the treatment of Sikhs by Indian authorities or for calling for the creation of Khalistan (separate homeland for Sikhs); whether police regard members of the Akali Dal (Mann) party with suspicion and monitor them for signs of any links with terrorism (2005 - 2008)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Various sources including three oral sources contacted by the Research Directorate indicated that the Akali Dal (Mann) party is the informal name for the Shiromani Akali Dal (Amritsar) party and both names refer to the same party (Human Rights Lawyer 31 Aug. 2007; Professor Emeritus 7 Aug. 2007; Professor of Anthropology 14 Mar. 2008; Oneindia 8 Sept. 2007; Punjab Newslite 31 Jan. 2008). Because most sources refer to this party as Akali Dal (Amritsar), this name will be used throughout this Response to Information Request.

According to news sources, the leader of the Akali Dal (Amritsar), Simranjit Singh Mann, was arrested in Punjab in June 2005 on charges of sedition for demanding independence for Khalistan, a separate homeland for Sikhs (AP 14 June 2005; PTI 14 June 2005; *The Tribune* 1 July 2005; see also US 8 Mar. 2006, Sec. 1.d). *The Panthic Weekly*, a non-profit Sikh news publication based in California (n.d.), also reports in 2006 that Indian authorities confiscated Simranjit Singh Mann's passport (*The Panthic Weekly* 6 Dec. 2006). The Khalistan Affairs Center (KAC), a Washington-based organization promoting a sovereign Sikh state (n.d.), adds that Mann's passport was seized following his visit to the United States (US) in April 2005 as his visit had generated a lot of attention to the pro-Khalistan movement (KAC 27 June 2007). However, Mann alleges that his passport has been held since 2004 to prevent him from participating in the Air India commission of inquiry in Canada (*The Panthic Weekly* 11 July 2007).

In May 2007, Mann and 20 other party members were charged under the penal code and detained for protesting in Jalandhar around the statue of the late Beant Singh, former Punjab Chief Minister (KAC 27 June 2007; *Express India* 15 June 2007; *The Panthic Weekly* 11 July 2007). Media sources indicate that the court rejected Mann's bail application in June 2007 (15 June 2007) and his judicial remand was extended for another two weeks (*Express India* 15 June 2007; *The Tribune* 2 June 2007) and once again until August 2007 (ibid. 11 Aug. 2007).

*The Panthic Weekly* suggests bias within the police force as members of the Akali Dal (Amritsar) were charged under the penal code during a clash between the Akali Dal (Amritsar) and another political party, the Shiv Sena, in December 2007, while members of the Shiv Sena were allegedly not arrested (*The Panthic Weekly* 19 Dec. 2007).

According to an article in *The Tribune*, several persons participating in a Sikh march were charged under the Indian penal code for "anti-national activities" which included slogans in favour of Khalistan (26 June 2007).

Regarding whether the police regard Akali Dal (Amritsar) party members with suspicion, two academics are of the opinion that members of the Akali Dal (Amritsar) are not, in general, ill-treated (Professor of Anthropology 13 Mar. 2008; Professor Emeritus (Missouri) 27 Mar. 2008). More specifically, a professor of Anthropology at the University of Texas whose area of research includes India stated that, to his knowledge, members of the Akali Dal (Mann) are no longer subject to ill-treatment unless the individual is suspected of terrorism or violent activities by police (13 Mar. 2008). Similarly, a professor emeritus of Political Science at the University of Missouri with extensive knowledge on India stated that outspoken members of the Akali Dal (Amritsar) are not harassed or arrested for participating in party gatherings, publicly complaining about the treatment of Sikhs by authorities or calling for the creation of Khalistan (27 Mar. 2008).

In 16 July 2007 correspondence, an associate professor of social and cultural anthropology specializing in India noted that

In instances where Akali Dal (Mann) members are suspected of extremism or alleged to have links with extremists and terrorists, state and police closely monitor and, in [some] instances, control their actions, and the treatment accorded [to] them is reportedly severe, including illegal detention and torture, including sexualized violence.

The Associate Professor added that Akali Dal (Amritsar) members are harassed and/or arrested "at certain times" for participating in party gatherings, publicly complaining about the treatment of Sikhs by Indian authorities or calling for the creation of Khalistan (16 July 2007).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

#### References

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Professor Emeritus, Department of Political Science, University of Missouri. 27 March 2008. Correspondence.

Professor Emeritus, Department of Sociology and Anthropology, Simon Fraser University (SFU). 7 August 2007. Telephone interview.

Professor of Anthropology, University of Texas at Dallas. 14 March 2008. Correspondence.

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#### Additional Sources Consulted

**Oral sources:** An academic at the Punjabi University, an academic at Kurukshetra University, an academic at Guru Nanak Dev University, an academic at the Jawaharlal Nehru University, an academic at the Indira Gandhi National Open University, an academic at the University of Michigan, an academic at York University, an academic at the University of British Columbia, the Centre for South Asian Studies of the University of Toronto, Voices for Freedom - Asia, the Punjab State Human Rights Commission, the Khalistan Affairs Center (KAC), *The Panthic Weekly* and the People's Union for Civil Liberties did not provide information within the time constraints of this Response.

An academic at the University of Manitoba and an academic at the University of British Columbia did not have information on the subject.

Attempts to contact an academic at the Indira Gandhi National Open University were unsuccessful.

**Internet sites, including:** All About Sikhs; Amnesty International; *Asia Times Online*; Asian Human Rights Commission; British Broadcasting Corporation (BBC); Council of Khalistan; Danish Immigration Service; Ensaaf; European Country of Origin Information Network; Freedom House; *Hindustan Times* [New Delhi]; Human Rights Watch; *The Indian Express* [Mumbai]; National Human Rights Commission; NDTV.com; Office of the United Nations High Commissioner for Human Rights; Official Website of Punjab, India; *The Pioneer* [New Delhi]; Punjab State Human Rights Commission; Rediff.com; Shiromani Akali Dal (Amritsar), Sikh Human Rights Group; Sikh Network; South Asia Forum for Human Rights (SAFHR); South Asia Human Rights Documentation Centre; *The Times of India* [Haryana]; United Kingdom Home Office Country of Origin Information Service; World News Connection (WNC).

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